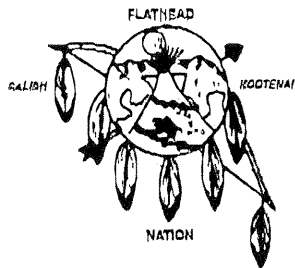


THE CONFEDERATED SALISH AND KOOTENAI TRIBES OF THE FLATHEAD NATION

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James Steele, Jr.
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November 22, 2004

The Honorable C. Bruce Loble
Chief Water Court judge
P. O. Box 1389
Bozeman, MT 59771-1389

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NOV 22 2004

Dear Judge Loble:

Montana Water Court

Thank you for your letter of November 1, 2004 responding to my concern about the right of Indian tribes to object to claims outside of basins where their Reservation-based claims lie. I have reviewed the pertinent portions of the October 8, 2004 proposed changes to the Water Right Claim Examination Rules and suggest the addition of the following new rule to make clear that a tribe may receive notice of decrees and file objections under those circumstances.

Proposed new Rule 1.II (5) d., (to be added to page 6 of the draft rules)

d. For purposes of these rules, a person who is entitled to receive notice of a decree and who may file objections to a decree includes an Indian tribe in its own right or as the beneficiary of claims filed on behalf of the tribe by the United States in any basin in the state.

I appreciate the opportunity to provide comment and suggestion in the rule-making process. If you have any questions or concerns, please give me a call.

Sincerely,

John B. Carter, Tribal Attorney

cc D. Fred Matt, Tribal Chairman
Clayton Matt, Natural Resource Dept. Head
David Harder, DOJ Attorney
Richard Aldrich, DOI Solicitor
Jay Weiner, RWRCC Attorney